

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/055,043	HUNT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alex P. Rada	3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 5, 2004.
2. ☒ The allowed claim(s) is/are 6-12, 18-22, 26, 29, 30, 32 and 35.
3. ☒ The drawings filed on 23 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## DETAILED ACTION

### *Response to Amendment*

In response to the amendment filed November 5, 2004 in which the applicant amends claims 26, 29, and 32, cancels claims 23-25, 27-28, and 31, previously canceled claims 1-513-17, and 33-34, and claims 6-12, 18-22, 26, 29-30, 32, and 35 are pending in this application.

## EXAMINER'S AMENDMENT

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Please change status identifier of claims 1-5 from "1. through 5. (previously canceled)" to --1-5. (Canceled)--.

Please change the status identifier of claim 7 from "(previously amended)" to --(Previously Presented)--.

Please change status identifier of claims 13-17 from "13. through 17. (previously canceled)" to --13-17. (Canceled)--.

Please change the status identifier of claim 18 from "(previously amended)" to --(Previously Presented)--.

Please change the status identifier of claim 19 from "(previously amended)" to --(Previously Presented)--.

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Please change status identifier of claims 23-25 from "23. through 25. (canceled herein)" to --23-25. (Canceled)--.

Please change status identifier of claims 27-28 from "27. through 28. (canceled herein)" to --27-28. (Canceled)--.

Please change status identifier of claim 31 from "31. (canceled herein)" to --31. (Canceled)--.

The minor changes to the status identifiers above were to place the case in proper condition for allowance.

#### *Reasons for Allowance*

2. Claims 6-12, 18-22, 26, 29-30, 32, and 35 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose nor teach according to claims 6, 18, 26, 32 and 35 the playing area having four corner groups of the playing stations each of the corner group having four playing stations arranged in a square configuration, during play the chess pieces not allowed to occupy the playing stations of the four corner groups and during play the chess pieces initially not allowed to occupy the playing station of the four corner groups, but upon the occurrence of a predetermined event the chess pieces being allowed to occupy the playing stations of the four corner groups in combination with the rest of the claimed limitations.

The prior art does not disclose nor teach according to claims 7 and 19 designating the set of chess pieces disposed on a fourth side of the playing area as common pieces which may be moved by any of the three players in combination with the rest of the claimed limitations.

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The prior art does not disclose nor teach according to claim 29 one of (1) when a king is checkmated, the player whose king is checkmated removing all his or her chess pieces of the same color from the playing area and (2) when a king is checkmated, the player whose king is checkmated removing the checkmated king from the playing area and leaving all remaining chess pieces of the same color as the checkmated king in place on the playing area in combination with the rest of the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Jessica Harrison can be reached on 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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JESSICA HARRISON  
PRIMARY EXAMINER